

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

EMC CORPORATION, EMC)	
INTERNATIONAL COMPANY, and EMC)	
INFORMATION SYSTEMS)	
INTERNATIONAL,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 13-1985-RGA
)	
PURE STORAGE, INC.,)	
)	
Defendant.)	

**DEFENDANT PURE STORAGE, INC.'S MOTION FOR JUDGMENT AS A
MATTER OF LAW OR, IN THE ALTERNATIVE, FOR A NEW TRIAL**

Pursuant to Federal Rules of Civil Procedure 50(b) and 59, Defendant Pure Storage, Inc. (“Pure”) respectfully moves for (1) judgment as a matter of law that EMC has failed to establish prior conception and that U.S. Patent No. 6,889,297 (the “Sun patent”) is prior art to U.S. Patent No. 7,434,015 (the “’015 patent”) or, in the alternative, a new trial on this issue; (2) judgment as a matter of law that Claims 1, 2, 7, 15, and 16 of the ’015 patent are anticipated by the Sun patent or, in the alternative, a new trial on this issue; (3) judgment as a matter of law that Claims 1, 2, 7, 15, and 16 of the ’015 patent are anticipated by “Venti: a new approach to archival storage” or, in the alternative, a new trial on this issue; and (4) judgment as a matter of law that Claims 1, 2, 15, and 16 of the ’015 patent are anticipated by U.S. Patent No. 6,704,730 or, in the alternative, a new trial on this issue. The grounds for this motion will be fully set forth in Pure’s Opening Brief in Support of Its Motion for Judgment as a Matter of Law or, in the Alternative, for a New Trial, which will be filed on April 14, 2016, as agreed by the parties and ordered by the Court. D.I. 470.

WHEREFORE, Pure respectfully requests that the Court enter the attached order granting this motion.

Respectfully submitted,

/s/ David M. Fry

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